

SUBMISSION

Submission to the Department of Education

Submission to the Draft Action Plan addressing gender-based violence in higher education

31 January 2024

The Australian Academy of Technological Sciences and Engineering (ATSE) is a Learned Academy of independent, non-political experts helping Australians understand and use technology to solve complex problems. Bringing together Australia's leading thinkers in applied science, technology and engineering, ATSE provides impartial, practical and evidence-based advice on how to achieve sustainable solutions and advance prosperity.

ATSE welcomes the Department of Education's initiative in developing an Action Plan to address gender-based violence in higher education. Sexual assault and harassment in the higher education system acts as a barrier to participation, including in STEM (science, technology, engineering and mathematics). The Draft Action Plan outlines a coordinated, whole-of-sector plan responding to sexual violence in higher education and commits to sustained cultural change.

ATSE strongly supports efforts to create a culture of safety in STEM. ATSE has previously provided a [submission](#) to the Tertiary Education Quality and Standards Agency (TEQSA) consultation to update their 2020 Good Practice Note on preventing and responding to sexual harm in the higher education sector (ATSE 2023a).

ATSE makes the following recommendations to strengthen and support implementation of the Action Plan:

Recommendation 1: Adopt a risk-based approach for the Action Plan and National Code.

Recommendation 2: Amend the Action Plan to specifically mention accountability for risk management by providers' governing bodies.

Recommendation 3: Require whole-of-institution approaches to consider the risks for STEM and for research students, and how responses will be managed.

Recommendation 4: Promote the Safe Place model for institutional responses to sexual assault, sexual harassment, and bullying.

Creating accountability for risk management

ATSE proposes that a risk-based approach be incorporated into the Action Plan and National Code to be developed. The concept of risk is not embedded in the Draft Action Plan, with its only mention being the National Student Ombudsman's function to share and receive information to identify and respond to systemic risk.

A risk-based approach would strengthen accountability and action at an institutional level. A risk-based management process involves continuously identifying, assessing and controlling risks, and reviewing the effectiveness of these control measures. The application of a risk management framework for accommodation providers was recommended by the *Changing the Course* report (AHRC 2017). A risk-based approach can also form part of institutional compliance with the positive duty to prevent sexual harassment of staff.

ATSE recommends that the Action Plan assigns primary accountability to governing bodies of higher education providers. While the responsibility of senior leadership is suggested by Action 2 on a whole-of-institution approach, this should be made explicit. This could be done by adding to the list of elements addressed by this approach, as follows:

Governing Bodies. *Providers should ensure their governing bodies, e.g. University Councils, recognise their own legal and moral accountabilities for risk management and the safety of all staff and students on campus by implementing appropriate processes.*

Recommendation 1: Adopt a risk-based approach for the Action Plan and National Code.

Recommendation 2: Amend the Action Plan to specifically mention accountability for risk management by providers' governing bodies.

Fostering a safer STEM culture

The Australian Human Rights Commission's 2017 *Change the Course* report found that half of university students who responded had been sexually harassed in the previous year, with one in five experiencing sexual harassment in a university setting (AHRC 2017). The report also found that 6.9% had been sexually assaulted in the previous year, including 1.6% in a university setting. The report found higher prevalence of harassment experienced by students that were female, LGBTIQA+, cultural and linguistically diverse, Aboriginal and Torres Strait Islander, or disabled.

Sexual violence at universities and accommodation providers is an impediment to diverse participation and success in higher education. Experiencing sexual assault has a negative impact on students' grades and graduation rates (Molstad et al. 2023). Given women are more likely to experience sexual assault than men, this effect is also impacting on gender equity, and disproportionately so in disciplines in which women are under-represented. Women comprise only 37% of university STEM enrolments, and 17% of vocational STEM enrolments (DISR 2023). The *Change the Course* report noted responses from women in STEM reporting classroom sexual harassment and a discriminatory culture (AHRC 2017). There is a heightened culture of sexual violence in STEM not only due to it being male dominated, but also due to high-risk settings such as laboratory work, fieldwork and conferences.

Research students in STEM and other disciplines also have the added risk of the student-supervisor relationship and other faculty relationships. Postgraduate students who disclosed sexual harassment in the *Changing the Course* report were more likely than undergraduates to have the perpetrator be a tutor or lecturer (10%, compared to 6% for undergraduates, university colleague (4%, compared to 1%) or by their work placement supervisor (3%, vs 1%) (AHRC 2017). Research students experiencing inappropriate behaviour from their supervisor are often stuck in that scenario, as severing the relationship can have detrimental career implications.

Whole-of-institution approaches should consider how the specific risks for STEM and for research students should be managed, as well as how to develop effective responses for these scenarios. This should include adapting Science and Technology Australia's recommendations for the addressing sexual harassment in the STEM sector (STA 2019). The higher education sector can learn from and adapt practices developed for cultural change in high-risk sectors such as defence, policing, mining, and aviation.

Institutions also have an obligation to provide a safe working environment for staff, including professional and academic staff, visiting faculty and contractors. Science & Technology Australia's survey of STEM professionals (including, but not limited to, those employed in universities) found that half of women respondents, and one in ten male respondents, had experienced sexual harassment in their workplace (STA 2019). To meet positive duty obligations to staff, providers must embark on cultural change in addition to establishing appropriate response mechanisms. ATSE strongly agrees with the Draft Action Plan's inclusion of staff in the whole-of-institution response model, with a focus on workplace culture, policies and practices. Smaller institutions may require resources such as ATSE's [Diversity and Inclusion Toolkit](#) to modernise their policy settings (ATSE 2023b).

Recommendation 3: Require whole-of-institution approaches to consider the risks for STEM and for research students, and how responses will be managed.

Championing best practices for student safety

ATSE agrees with the commitment to implement a National Student Ombudsman that will have a role in promoting best practices relating to complaints handling and student experiences. Including student experiences within the Ombudsman's remit is critical for influencing cultural change. ATSE considers that this will be most effective if the Ombudsman also interfaces with the Office for Women in STEM Ambassador, which is aimed at addressing gender inequities in STEM. This will support the Ombudsman to understand and share information on best practices for creating a safe environment for women in STEM.

Developing and rolling out best-practice, trauma-informed response systems is a key component of the Draft Action Plan. Action 5, on identifying opportunities for providers to prioritise the safety of victim-survivors in responding to disclosures, notes that providers have struggled with receiving disclosures and are overly reliant on disciplinary processes. Action 5 also commits to exploring better practices for response processes, over the coming months. ATSE recommends that the 'Safe Place' model, as implemented by Airservices, is considered (Broderick 2020). The Safe Place model provides a coordinated and confidential centre for reporting sexual assault, harassment, and bullying. Key to this model is independence of the Safe Place from the institution's HR and legal departments. Having an independent organisational unit with

expert staff will enable better implementation of the National Code and contribute a safer culture in higher education.

Recommendation 4: Promote the Safe Place model for institutional responses to sexual assault, sexual harassment, and bullying.

ATSE thanks the Department of Education for the opportunity to respond to the Draft Action Plan addressing gender-based violence in higher education. For further information, please contact academypolicyteam@atse.org.au.

References

AHRC (Australian Human Rights Commission) (2017) [Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities](#), AHRC, accessed 10 January 2024.

ATSE (Australian Academy of Technological Sciences and Engineering) (2023a) [Submission to the Sexual Harm Good Practice Note consultation](#), ATSE, accessed 10 January 2024.

ATSE (Australian Academy of Technological Sciences and Engineering) (2023b) [Diversity and Inclusion Toolkit](#), ATSE, accessed 10 January 2024.

Broderick, E (2020) [A Review of Culture at Airservices Australia](#), Airservices Australia, accessed 10 January 2024.

DISR (Department of Industry, Science and Resources) (2023) [STEM Equity Monitor](#), DISR, accessed 10 January 2024.

Molstad, TD, Weinhardt, JM and Jones, R (2023) '[Sexual Assault as a Contributor to Academic Outcomes in University: A Systematic Review](#)', *Trauma, Violence, & Abuse*, 24(1):218–230.

STA (Science & Technology Australia) (2019) [Sexual harassment in the workplace](#), STA, accessed 10 January 2024.